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TOWNSEND and TOWNSEND and CREW LLP

By: Andrew Lane

PATENT
Attorney Docket 026693-009610US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Lee O. LOMAS

Application No.: 10/528,820

Filed: May 16, 2005

For: APPARATUS AND METHOD FOR
EXPRESSION AND CAPTURE OF
BIOMOLECULES AND COMPLEXES
ON ADSORBENT SURFACES

Confirmation No.: 8595

Examiner: Yang, Nelson C.

Art Unit: 1641

RESPONSE TO SECOND RESTRICTION
REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Communication is responsive to second non-final Office Action mailed on July 26, 2007. Applicants believe that no fee is required for submission of this response. However if a fee is required, the Commissioner is authorized to deduct such a fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from or credit any overpayment to, the above noted Deposit Account.

The Examiner has asked the applicants to elect between two species set forth in the elected claims of Group I, claims 1-30 and 59-67. The first species includes claims where the solid support is integral part of the reaction vessel and the second species includes claims where the solid support is integral to the reaction vessel.

Applicants elect as a species those claims where the solid support is an integral part of the reaction vessel.

The elected species reads on claims 13-24 and 65-67 and are encompassed by claims 1-9, 11-12.

Applicants respectfully traverse the inclusion of claim 11 with the two claims 9 and 10 that are expressly limited to having solid supports are not an integral part of the reaction vessel. Claim 11 merely recites a preferred component of the solid support as a hydrogel, the location of the solid support within the vessel is not set forth in any manner. The fact that the specification exemplifies a non-integral solid support with a hydrogel on its surface is irrelevant to its being encompassed by one species or another. Thus claim 11 depending directly from claim 1 properly falls within the claims encompassing either of the two species.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at .

Respectfully submitted,



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